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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 MAURICE HOLMES,

14 Defendant.
15

) CASE NO: 2:21-cr-00225-GMN-NJK
)

) **ORDER GRANTING**
) **STIPULATION TO EXTEND**
) **DEFENDANT'S REPLY DEADLINE TO**
) **GOVERNMENT'S OPPOSITION TO**
) **DEFENDANT'S MOTION TO SUPPRESS**
) **EVIDENCE**

) (First Request)
)
)

16 IT IS HEREBY STIPULATED AND AGREED by MAURICE HOLMES, by and
17 through his attorney, THOMAS A. ERICSSON, ESQ., of Oronoz & Ericsson LLC, and the
18 UNITED STATES OF AMERICA, by and through KENNETH NICHOLAS PORTZ, ESQ.,
19 Assistant United States Attorney, to vacate the current Reply deadline for Defendant's Reply to
20 Government's Opposition to Defendant's Motion to Suppress Evidence of July 7, 2022, and
21 extend the deadline for seven (7) days, to Thursday, July 14, 2022. The request for a
22 continuance is based upon the following:

- 23 1. Counsel for Defendant needs additional time to conduct investigation in this
24 case in order to determine whether there are any pretrial issues that must be
25 litigated.
- 26 2. Defendant is in custody and does not object to the requested extension.
- 27 3. Defense counsel for Maurice Holmes has spoken to Assistant United States
28 Attorney Kenneth Nicholas Portz and the Government has no objection to the
continuance.

1 4. Additionally, denial of this request for continuance could result in a
2 miscarriage of justice.

3 5. The additional time requested herein is not sought for purposes of undue delay.

4 6. Additionally, denial of this request to extend pre-trial motion deadline could
5 result in a miscarriage of justice. The additional time requested by this
6 Stipulation is excludable in computing the time within which the trial herein
7 must commence pursuant to the Speedy Trial Act, Title 18, United States
8 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United
9 States Code, Section 3161(h)(7)(B)(i), (iv).

10 Dated: July 7, 2022

11 Respectfully submitted,

12 /s/ Thomas A. Ericsson
13 Thomas A. Ericsson, Esq.
14 ORONOZ & ERICSSON, LLC
15 9900 Covington Cross Drive, Suite 290
16 Las Vegas, Nevada 89144
17 *Attorney for Defendant Maurice Holmes*

12 /s/ Kenneth Nicholas Portz
13 Kenneth Nicholas Portz, Esq.
14 Assistant United States Attorney
15 501 Las Vegas Boulevard, Suite 1100
16 Las Vegas, Nevada 89101
17 *Attorney for the United States of America*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAURICE HOLMES,

Defendant.

CASE NO: 2:21-cr-00225-GMN-NJK

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing, therefore, the Court finds:

1. Counsel for Defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated.
2. Defendant is in custody and does not object to the requested extension.
3. Defense counsel for Maurice Holmes has spoken to Assistant United States Attorney Kenneth Nicholas Portz, and the Government has no objection to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested herein is not sought for purposes of undue delay.
6. Additionally, denial of this request to extend the pre-trial motion deadline could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States

Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare effectively and thoroughly for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the deadline to file Defendant's Reply to Government's Opposition to Defendant's Motion to Suppress Evidence of July 7, 2022, is vacated and continued until July 14, 2022.

DATED AND DONE this 8th day of July, 2022.



Nancy J. Koppe
United States Magistrate Judge